

REMARKS

Claims 1, 22, 80, 91, 96, 102 and 103 have been amended to include, in part, the limitations of claims 7 and 25. Support can be found throughout the specification. No new matter has been added and no new issues have been raised.

Claims 1-5, 7, 8, 12, 13, 16, 17, 22, 25, 26, 80-94, 96, 97 and 99-103 are pending.

Applicants thank the Examiner for withdrawing the previous objection and rejections under 35 U.S.C. § 102(b). See Office Action at p. 5.

CLAIM REJECTIONS

Rejection of claims 1 and 102 under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claims 1 and 102 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. See Office Action at p. 2. Not in acquiescence to the rejection but in an effort to expedite prosecution, claims 1 and 102 have been amended to delete the provisos forming the basis of this rejection thus rendering this rejection moot. Applicants respectfully request the withdrawal of this rejection.

Rejection of claim 22 under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claim 22 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. See Office Action at p. 2. Not in acquiescence to the rejection but in an effort to expedite prosecution, claim 22 has been amended to delete the provisos forming the basis of this rejection thus rendering this rejection moot. Applicants respectfully request the withdrawal of this rejection.

Rejection of claims 80, 91 and 103 under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claims 80, 91 and 103 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. See Office Action at p. 2. Not in acquiescence to the rejection but in an effort to expedite prosecution, claims 80, 91 and 103 have been amended to delete the provisos forming the basis of this rejection thus rendering this rejection moot. Applicants respectfully request the withdrawal of this rejection.

Rejection of claims 1-5, 7, 8, 13, 16, 17, 22, 25, 26, 80-94, 96, 97 and 99-103 under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1 and 102 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. See Office Action at p. 5. Specifically, the Examiner stated that there was insufficient antecedent basis for "contains one triple bond" in claims 1, 22, 80, 91, 102 and 103. Not in acquiescence to the rejection but in an effort to expedite prosecution, claims 1, 22, 80, 91, 102 and 103 have been amended, deleting the phrase "one triple bond," rendering this claim moot. Applicants respectfully request the withdrawal of this rejection.

Rejection of claims 1 and 102 under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-4, 12, 13, 22, 102 and 103 under 35 U.S.C. § 102(b) as being anticipated by Fujisawa, *et al.* See Office Action at p. 6. Claims 1, 22, 102 and 103 are dependent claims. Claims 2-4, 12 and 13 depend from claim 1.

Claim 1 has been amended to describe a compound of formula I in which L is an unsaturated C₄₋₈ hydrocarbon chain containing at least one double bond adjacent to Y¹ or Y²; said unsaturated-hydrocarbon chain being optionally substituted with C₃₋₅ cycloalkyl, 3-5 membered heterocycloalkyl, monocyclic aryl, 5-6 membered heteroaryl, C₁₋₄ alkylcarbonyloxy, C₁₋₄ alkylcarbonyl, or formyl, -NH₂, -NH(C₁₋₂ alkyl), or -N(C₁₋₂ alkyl)₂, or -N(C₁₋₂ alkyl)₂. Claim 22 has been amended to describe a compound of formula I in which L is an unsaturated C₄₋₈ hydrocarbon chain containing at least one double bond adjacent to Y¹ or Y²; said unsaturated hydrocarbon chain being optionally substituted with C₃₋₅ cycloalkyl, 3-5 membered heterocycloalkyl, monocyclic aryl, 5-6 membered heteroaryl, C₁₋₄ alkylcarbonyloxy, C₁₋₄ alkylcarbonyl, or formyl, -NH₂, -NH(C₁₋₂ alkyl), or -N(C₁₋₂ alkyl)₂, or -N(C₁₋₂ alkyl)₂. Claim 102 has been amended to describe a compound of formula I in which L is an unsaturated C₄₋₇ hydrocarbon chain containing at least one double bond adjacent to Y¹ or Y²; said unsaturated hydrocarbon chain being optionally substituted with C₃₋₅ cycloalkyl, 3-5 membered heterocycloalkyl, monocyclic aryl, 5-6 membered heteroaryl, C₁₋₄ alkylcarbonyloxy, C₁₋₄ alkylcarbonyl, or formyl. Finally, claim 103 has been amended to describe a compound of formula I in which L is an unsaturated C₄₋₆ hydrocarbon chain containing at least one double

bond adjacent to Y¹ or Y²; said unsaturated hydrocarbon chain being substituted with C₃₋₅ cycloalkyl, 3-5 membered heterocycloalkyl, monocyclic aryl, 5-6 membered heteroaryl, C₁₋₄ alkylcarbonyloxy, C₁₋₄ alkyloxycarbonyl, C₁₋₄ alkylcarbonyl, or formyl.

Fujisawa does not disclose a compound as recited in claims 1-4, 12, 13, 22, 102 and 103. Fujisawa discloses the compound Ph-S-CH₂CH=CHCH₂CO₂H. The Examiner states that this compound corresponds to the claimed compounds in which A is phenyl, L is a C₃ trans olefin containing a triple bond, Y¹ is S, Y² is CH₂, and X¹ and X² are O. See Office Action at p. 6. As amended, claims 1, 22, 102 and 103 define L as being a hydrocarbon chain with a minimum of four carbons. Fujisawa discloses L as a hydrocarbon chain with three carbon atoms, instead of the minimum of four carbon atoms recited in claims 1, 22, 102 and 103. Therefore, Fujisawa does not disclose a compound of formula (I). Accordingly, independent claims 1, 22, 102 and 103 and dependent claims 2-4, 12 and 13 are patentable over Fujisawa. Applicant respectfully requests reconsideration and withdrawal of this rejection.

Rejection of claims 1 and 102 under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-5, 12, 13, 22, 80-84, 87, 88 and 102 under 35 U.S.C. § 102(b) as being anticipated by Lopez, et al. See Office Action at p. 6. Claims 1, 22, 80 and 102 are dependent claims. Claims 2-4, 12 and 13 depend from claim 1. Claims 81-84, 87 and 88 depend from claim 80.

Claim 80 has been amended to recite a compound of formula I in L is an unsaturated C₄₋₈ hydrocarbon chain containing at least one double bond adjacent to Y¹ or Y²; said hydrocarbon unsaturated chain being optionally substituted with C₃₋₅ cycloalkyl, 3-5 membered heterocycloalkyl, monocyclic aryl, 5-6 membered heteroaryl, C₁₋₄ alkylcarbonyloxy, C₁₋₄ alkyloxycarbonyl, C₁₋₄ alkylcarbonyl, or formyl -NH(C₁₋₂ alkyl), or -N(C₁₋₂ alkyl)₂, or -N(C₁₋₂ alkyl)₂.

Lopez does not disclose a compound as recited in claims 1, 22, 80 and 102. Lopez discloses a series of phenyl alkanoic acids, where A is phenyl, L is a C₃₋₇ saturated chain, Y¹ is a bond, Y² is CH₂, and X¹ and X² are O. See Office Action at p. 6. As amended, claims 1, 22, 80 and 102 recite L as containing at least one double bond. Lopez discloses L as a saturated hydrocarbon chain, instead of an unsaturated hydrocarbon chain as claimed. Therefore, Lopez

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Serial No. : 10/025,947
Filed : December 26, 2001
Page : 16 of 16

Attorney's Docket No.: 15128.0003 C1

does not disclose a compound of formula (I). Accordingly, independent claims 1, 22, 80 and 102 and dependent claims 2-4, 12, 13, 81-84, 87 and 88 are patentable over Fujisawa. Applicant respectfully requests reconsideration and withdrawal of this rejection.

CONCLUSION

Applicants believe that the claims now pending are in condition for allowance. Should any fees be required by the present Amendment, the Director is hereby authorized to charge Deposit Account **19-4293**.

Respectfully submitted,

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